

Message Text

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PAGE 01 SUVA 00954 270225Z

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ACTION PM-04

INFO OCT-01 EA-09 ISO-00 CIAE-00 INR-07 NSAE-00 L-03 MC-02

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FM AMEMBASSY SUVA

TO SECSTATE WASHDC PRIORITY 4276

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INFO AMEMBASSY WELLINGTON

CINCPAC

UNCLAS SUVA 954

E.O. 11652: N/A

TAGS: MASS PFOR FJ

SUBJ: PATROL CRAFT FOR FIJI

1. EMBASSY HAS RECEIVED FROM GOF FOLLOWING IN CONNECTION
WITH TRAINING IN US OF FIJIAN CREWS OF TWO MINESWEEPERS
PROPOSED FOR SALE TO FIJI (UNNECESSARY WORDS OMITTED):

QTE AS THERE IS NO VISITNG FORCES AGREEMENT BETWEEN GOF AND
USG ONE ASPECT OF REQUEST FOR TRAINING FIJI NAVAL PERSONNEL
IN US THAT WILL ALSO NEED TO BE CONSIDERED IS STATUS OF
THESE PERSONNEL WHILE IN US. MEMBERS OF ROYAL FIJI MILITARY
FORCES (RFMF) NAVAL SQUADRON WILL CONTINUE TO BE SUBJECT TO
RFMF MILITARY LAW AND NAVAL SQUADRON COMMANDER WILL HAVE
POWERS OF DETACHMENT COMMANDER AS AUTHORIZED BY COMMANDER,
RFMF. IN ORDER LAY DOWN GUIDELINES FOR SQUARDRON COMMANDER,
IT IS NECESSARY CLARIFY FOLLOWING:

A. LEGALITY OF ORDERS GIVEN TO FIJIAN SERVICEMEN BY
AMERICAN OFFICERS AND NCOS AND VICE VERSA,

B. WILL AMERICAN OFFICERS AND NCOS HAVE POWERS OF ARREST
OVER FIJIAN OFFICERS AND NCOS, AND IF SO, ARE THE POWERS
RECIPROCAL?

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PAGE 02 SUVA 00954 270225Z

C. WILL NAVAL SQUADRON COMMANDER BE ABLE TO COMMIT FIJIAN

SERVICEMEN TO AMERICAN SERVICE CORRECTIVE ESTABLISHMENT
(STOCKADE)?

D. IN EVENT OF FIJIAN SERVICEMAN COMMITTING CIVIL OFFENSE,
WILL SERVICEMAN BE TRIED AND SERVE HIS SENTENCE IN US OR WILL
HE BE RETURNED TO FIJI FOR TRIAL?
E. IF COURTS OF US ARE TO EXERCISE JURISDICTION OVER MEMBER
OF FIJI NAVAL SQUADRON ON CIVIL CASE, WILL FIJI NAVAL
COMMANDER HAVE RIGHT TO TAKE CUSTODY OF SUCH MEMBER UNTIL HE
HIS BROUGHT TO TRIAL BY US COURTS AND IN SUCH A CASE, WILL
FIJI NAVAL AUTHORITY BE ALLOWED TO PRESENT HIM TO THOSE
COURTS FOR INVESTIGATORY PROCESS AND TRIAL WHEN REQUIRED?

F. WILL BOTH GOVERNMENTS BE PREPARED TO WAIVE ALL THEIR
CLAIMS AGAINST EACH OTHER FOR LOSS SUFFERED BY EITHER RESULTING
FROM DAMAGE, DEATH OR INJURY TO ITS PROPERTY FOR SERVANTS OF
THE OTHER GOVT GONE IN THE COURSE OF HIS DUTY IN CONNECTION
WITH FIJI NAVAL TRAINING IN US.

GOF IS PREPARED TO CONCLUDE THROUGH EXCHANGE OF NOTES AN
AGREEMENT COVERING ABOVE POINTS. UNQTE.

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